

REMARKS

The allowance of claims 1, 2, 4 and 5 is appreciated. Claims 3 and 6 are now amended so that the subject matter defined is clearly distinguished from what is described in the Lary reference.

Lary is concerned with precisely locating a suspect lesion within a specimen taken from a breast. For this reason Lary uses a "specimen board" for attachment of the tissue specimen, not a gross pathology breast map with a graphic representation of a breast anatomy. Lary simply attaches a specimen to a sheet having X and Y coordinates (that will show up in an x-ray), not using a breast map because he is only using the specimen board to closely locate the suspect lesion within the specimen, not the specimen within the breast.

Lary takes the sample, attaches it to the specimen board, sandwiches the sample with the compression sheet 12, then takes an x-ray of the specimen on the board to locate the lesion in the specimen. The radiologist then notes and writes down the coordinates of the lesion as a position on the specimen board (position I-7 in the example).

A separate sheet 44 is used by Lary to approximate the location of the suspect lesion on the breast. See Lary col. 6, l. 37-39. This is done at the time of extraction of the

specimen, the sheet 44 having a series of simple breast diagrams as shown. This separate sheet is only a separate notation tool for indicating approximately the location where the specimen was taken. It is not a gross pathology breast map as now defined and it is not a sheet to which the specimen is attached. The sheet 44 acts as a separate reference sheet.

Claim 3 as amended removes any doubt that the method distinguishes from Lary. The gross pathology breast map is recited as including a graphic representation of a breast anatomy, including a nipple location, and this is the breast map to which the tissue specimen is affixed, at a location representing the location on the breast where the specimen was taken. The specimen board of Lary is used only as an X-Y coordinate-referenced board for locating a lesion within a specimen, not locating a specimen in a breast, and thus Lary teaches something different from the invention, the invention defined in claim 3 as well as in claim 6.

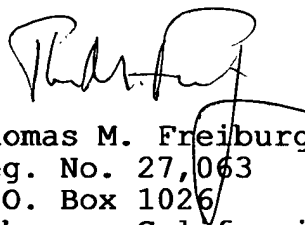
Claim 6 defines a kit of parts for use in the method recited in other claims. The gross pathology breast map is now defined as including a graphic representation of a breast anatomy with a nipple location, this being a principal element of the radiographic/histologic kit. As such, claim 6 defines patentably over Lary, alone or in combination with any other art.

It is clear that claims 3 and 6 define an invention distinct

from the prior art, particularly Lary. Lary's device is concerned with closely locating a suspect lesion within a specimen, not a specimen within a breast. Lary does not show or teach the invention as claimed.

It appears all of claims 1 through 6 are allowable, and allowance is solicited. However, if any issue remains, the Examiner is asked to telephone the undersigned attorney before issuing a further action.

Respectfully submitted,



Date: September 2, 2008

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